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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/771,254	02/03/2004	Heather Flores	P1857R1P1

09157  
GENENTECH, INC.  
1 DNA WAY  
SOUTH SAN FRANCISCO, CA 94080



CONFIRMATION NO. 2580

## FORMALITIES LETTER



\*OC000000012702874\*

Date Mailed: 05/19/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be filed as a sequence listing on file in the U.S. Patent and Trademark Office, such request submitted in lieu of a new CRF.

For questions regarding compliance to these requirements

- For Rules Interpretation, call (703) 305-3000

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**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
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P.O. Box 1450  
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*A copy of this notice **MUST** be returned with the reply.*

*N. Mohammed*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Patent Docket P1857R1P1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Heather Flores et al. Serial No.: 10/771,254 Filed: February 3, 2004 For: APO-2 LIGAND/TRAIL FORMULATIONS	Group Art Unit: to be assigned Examiner: to be assigned CONFIRMATION NO: 2580 <b>CUSTOMER NO: 09157</b>
	<p align="center"><b>CERTIFICATE OF EXPRESS MAILING</b></p> <p>EXPRESS MAIL LABEL NO.: <u>EV 385 661 019 US</u></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450".</p> <p align="right">September <sup>28</sup> 2004 <i>Diane L. Marschang</i> <u>Diane L. Marschang</u> <del>Mona Beltran</del></p>

**TRANSMITTAL LETTER**

Mail Stop MISSING PARTS  
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Sir:

Transmitted herewith are the following documents:

1. Response to Notice to File Missing Parts and Preliminary Amendment;
2. Sequence Listing, in paper copy and a computer readable diskette;
3. Certificate Re: Sequence Listing Response Under 37 CFR §1.821(f) and (g);
4. Combined Declaration for Patent Application and Power of Attorney for Continuing Application;
5. Copy of Notice to File Missing Parts of Nonprovisional Application; and
6. Petition and Fee for Extension of Time (dup);

Serial No.: 10/771,254

Patent Docket No.: P1857R1P1

In the event any additional fees are due in connection with the filing of these documents, the Commissioner is authorized to charge such fees to our Deposit Account No. 07-0630. A duplicate of this sheet is enclosed.

Respectfully submitted,

GENENTECH, INC.

Date: September 28, 2004

By: *Diane L. Marschang*  
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